IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1265 OF 2005

Shri.Chandrakant Vasant Sane ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.R.V.More for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 25, 2005.

P.C.

1. Heard Counsel for the parties.

2. The Applicant apprehends arrest in connection with criminal case registered with Ratnagiri City Police Station being C.R.No.28 of 2005 for offence punishable under Sections 381, 466 and 472 of the Indian Penal Code. The allegation against the Applicant is that he has heard matter as Assistant Charity Commissioner, holding charge

of Ratnagiri on 4th October 1999, but did not hand over the record of the case while leaving the Office on 17th October 1999 and delivered Judgment on 20th December 2000. This, by itself, does not mean that the Applicant had dishonest intention. Something more will be necessary to indicate complicity of the Applicant in the commission of the alleged crime. Learned A.P.P. fairly accepts that there is no other material or allegation to proceed against the Applicant. If it is so, Applicant deserves to be granted anticipatory bail on the following terms:

(a) The Applicant is granted anticipatory bail in connection with C.R.No.28 of 2005 registered with Ratnagiri City Police Station on executing personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two local sureties in the like amount. This Anticipatory Bail will enure in favour of the Applicant till filing of the charge-sheet.

(b) The Applicant shall report to the Investigating Officer as and when called upon till

the filing of the charge-sheet.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

3. Application disposed of on the above terms.

A.M.KHANWILKAR, J.